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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/024,246	12/21/2001	Kenji Nakabayashi	381NT/48610CO	6903

7590 03/14/2003

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EXAMINER

DOLINAR, ANDREW M

ART UNIT	PAPER NUMBER
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3747

DATE MAILED: 03/14/2003

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

10/024,246

Applicant(s)

NAKABAYASHI ET AL.

Examiner

Andrew M. Dolinar

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 16 September 2002 and 09 December 2002.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 14-35 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☒ Claim(s) 23,25,27-29 and 31 is/are allowed.
- 6) ☒ Claim(s) 14-22,24,26,30 and 32-35 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☐ The proposed drawing correction filed on _____ is: a) ☐ approved b) ☐ disapproved by the Examiner.
- If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. §§ 119 and 120

- 13) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).
- a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO-1449) Paper No(s) 7.
- 4) ☐ Interview Summary (PTO-413) Paper No(s). _____.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☒ Other: translation.

DETAILED ACTION

Terminal Disclaimer

The terminal disclaimer filed on September 16, 2002 disclaiming the terminal portion of any patent granted on this application which would extend beyond the expiration date of U.S. Patent No. 6,343,595 has been reviewed and is accepted. The terminal disclaimer has been recorded.

Specification

The use of the trademark Teflon has been noted in this application, e.g. on page 9 of the specification. It should be capitalized wherever it appears and be accompanied by the generic terminology.

Although the use of trademarks is permissible in patent applications, the proprietary nature of the marks should be respected and every effort made to prevent their use in any manner which might adversely affect their validity as trademarks.

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

Claims 14, 16, 22 and 33-35 are rejected under 35 U.S.C. 102(b) as being anticipated by Kameoka et al (JP 10-112413). The silicon coating material on the surface of the primary coil results in a gap as claimed. Note the description of a separation caused by the silicon coating

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material in the English abstract and paragraphs 0011-0014 of the partial translation provided herewith.

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 15, 17-21, 24, 26, 30 and 32 are rejected under 35 U.S.C. 103(a) as being unpatentable over Oosuka et al (US 6,208,231) in view of Kameoka et al (JP 10-112413). Oosuka et al discloses the claimed invention except for a primary coil assembly having a gap portion. Kameoka et al teaches that it is known to provide a primary coil assembly with a gap for stress absorbing as set forth in the English abstract and paragraphs 0011-0014 of the partial translation provided herewith. The gap would inherently reduce thermal stress. It would have been obvious to one having ordinary skill in the art at the time the invention was made to construct the ignition coil of Oosuka et al so as to form a gap in the primary coil assembly, as taught by Kameoka et al, in order to prevent coil damage. A conventional plug hole has a diameter within the range claimed. Note the description of the prior art in the partial translation of Kameoka et al.

Allowable Subject Matter

Claims 23, 25, 27-29 and 31 are allowed.

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Response to Arguments

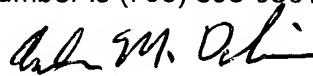
Applicant's arguments have been considered but are moot with respect to claims 14-22, 24, 26, 30 and 32-35 in view of the new ground(s) of rejection.

Upon reconsideration, it has been determined that Kameoka et al (JP 10-112413) qualifies as prior art under 35 U.S.C. 102(b). Kameoka et al has a publication date of April 28, 1998, which is more than one year before applicant's effective filing date of February 8, 2000 and earlier than the priority date of February 8, 1999. Oosuka et al (US 6,208,231) has a filing date of February 13, 1998, which is earlier than the priority date of February 8, 1999. Therefore, applicant cannot rely upon the foreign priority papers to overcome the new ground(s) of rejection.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Andrew M. Dolinar whose telephone number is (703) 308-1948. The examiner can normally be reached on Mon. - Thu. (7:30-6:00).

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Henry Yuen can be reached on (703) 308-1946. The fax phone numbers for the organization where this application or proceeding is assigned are (703) 872-9302 for regular communications and (703) 872-9303 for After Final communications.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is (703) 308-0861.



Andrew M. Dolinar
Primary Examiner
Art Unit 3747

AMD
March 6, 2003